

10/10/03

**WORKBOOK CHANGE(S)**

Add D 1010022.D01  
Rev Date 12-4-03  
F.A. Date 12-24-03  
Letting Date 7-04

Move D \_\_\_\_\_  
To Deleted File \_\_\_\_\_  
Rev Date \_\_\_\_\_  
F.A. Date \_\_\_\_\_  
Letting Date \_\_\_\_\_

Remarks New SS.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Dates**

\*Copy of Spec to Paul that Impacts

QPL (ONLY) \_\_\_\_\_

Added to Nextwb file 12-10-03ah

Deleted from Nextwb file \_\_\_\_\_

History File Updated \_\_\_\_\_

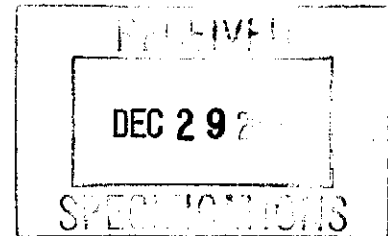
Rolodexed 4/20/04

Additional back-up see \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Route Slip

U.S. Department of Transportation  
Federal Highway Administration  
Florida Division  
227 N. Bronough Street, Room 2015  
Tallahassee, FL 32301

Distribution:



To:	Organization:	Date:	Routing Symbol:
MR. DUANE BRAUTIGAM	FDOT, SPECIFICATIONS ENGINEER	Dec. 29, 2003	MS-75

- ☐ Per Your Request  
☒ **For Your Information**  
☐ Per Our Conversation  
☐ Comment  
☐ Take Appropriate Action  
☐ Note and Return  
☐ Discuss With Me  
☐ For Your Approval  
☐ For Your Signature  
☐ Please Answer  
☐ Prepare Reply  
For Signature of

## Remarks:

### FLORIDA SPECIFICATIONS:

D1010022.D02, Supplemental Specification for Basis of  
Payment-Partial Payments, Section 101

## ATTACHMENTS

From:	Telephone Number:	FDOT MS:	Org/Rtg Symbol
FOR: JAMES E. ST. JOHN, DIVISION ADMINISTRATOR	(850) 942-9650, EXT. 3035	# 29	

DON Davis: ANN to file in binders cc: 1 (w/specification)



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

December 24, 2003

Mr. Donald Davis  
Program Operations Engineer  
Federal Highway Administration  
227 N. Bronough Street, Suite 2015  
Tallahassee, Florida 32301

Re: Office of Design, Specifications  
Section 101  
Proposed Specification: D1010022.D02 – Basis of Payment-Partial Payments

Dear Mr. Davis:

We are resubmitting, for your approval, two copies of a proposed Supplemental Specification for Basis of Payment – Partial Payments.

This change was proposed by Kenneth Standley of the State Construction Office to re-establish criteria for partial payments, when a separate pay item for mobilization included in the proposal.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via Email to SP965DB or [duane.brautigam@dot.state.fl.us](mailto:duane.brautigam@dot.state.fl.us).

If you have any questions relating to this specification change, please call Duane F. Brautigam, State Specifications Engineer at 414-4110.

Sincerely,

Duane F. Brautigam, P.E.  
State Specifications Engineer

DFB/sh

Attachment

cc: General Counsel  
Florida Transportation Builders' Assoc.  
State Construction Engineer

**101 BASIS OF PAYMENT – PARTIAL PAYMENTS.**  
**(REV 8-20-0312-4-0312-24-03)**

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization and work has commenced and satisfactory progress is maintained pursuant to accepted project schedule, partial payments will be made therefore in accordance with the following:

For contracts of 120 contract days duration or less, partial payment will be made at 50% of the bid price per month for the first two months. For contracts in excess of 120 contract days duration, partial payment will be made at 25% of the bid price per month for the first four months.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job that has a separate pay item for Mobilization with ~~†~~The total of the partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

The above percentage limitations, also apply separately to each project in a multiple project contract, when each project within that contract includes a pay item for mobilization.

The standard retainage ~~Retainage~~, as specified in 9-65, will be applied to these allowances all partial payments.

Percent of Original Contract Amount Earned	Allowable Percent of the Lump Sum Price for the Item*
5	25
10	50
25	75
50	100

\*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

~~Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.~~

~~When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job which job that has a separate pay item for Mobilization.~~

As an exception to partial payments being made based on Percent of Original Contract Amount Earned as noted above, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

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(REV 12-24-03)**

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Retainage, as specified in 9-5, will be applied to all partial payments.


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Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

APPROVED:  DATE: 12-24-03  
For the Division Administrator



**Shirley Harvey**

12/24/2003 11:55 AM

To: donald.davis@fhwa.dot.gov  
cc: Kenneth Standley/CO/FDOT@FDOT, ann.allshouse@fhwa.dot.gov  
Subject: Resubmittal for Approval on D1010022.D02 - Basis of Payment - Partial Payments



D1010022.D02.doc

This change was made per comments and we are resubmitting it for your approval. Thanks....

Merry Christmas,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

December 24, 2003

Mr. Donald Davis  
Program Operations Engineer  
Federal Highway Administration  
227 N. Bronough Street, Suite 2015  
Tallahassee, Florida 32301

Re: Office of Design, Specifications  
Section 101  
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Sincerely,

Duane F. Brautigam, P.E.  
State Specifications Engineer

DFB/sh

Attachment

cc: General Counsel  
Florida Transportation Builders' Assoc.  
State Construction Engineer

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**(REV 8-20-0312-4-0312-24-03)**

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*When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job that has a separate pay item for Mobilization with*  
~~†The total of the partial payments for any project will be~~ is limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

*The above percentage limitations, also apply separately to each project in a multiple project contract, when each project within that contract includes a pay item for mobilization.*

~~The standard retainage~~Retainage, as specified in 9-65, will be applied to ~~these~~  
~~allowances~~ all partial payments.

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Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

~~When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job which~~ job that has a separate pay item for Mobilization.

As an exception to partial payments ~~being made based on Percent of Original Contract Amount Earned as noted above~~, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

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The total of the partial payments for any project is limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

The above percentage limitations, also apply separately to each project in a multiple project contract, when each project within that contract includes a pay item for mobilization.

Retainage, as specified in 9-5, will be applied to all partial payments.


As an exception to partial payments the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

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**BASIS OF PAYMENT – PARTIAL PAYMENTS.**  
**(REV 12-4-03)**

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The total of the partial payments for any project is limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

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Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

Handwritten signature or initials, possibly "OK" or "RM", in black ink.

**BASIS OF PAYMENT – PARTIAL PAYMENTS.**  
(REV 8-20-03)

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The total of the partial payments for any project will be limited to 10% of the original Contract amount for that project. If there is more than one project or job (separate job number) on a contract that has a separate pay item for Mobilization, this limitation shall apply separately to each job.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job that has a separate pay item for Mobilization with the total of the partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

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**Kenneth Standley**

12/03/2003 03:46 PM

To: Shirley Harvey/CO/FDOT@FDOT  
cc:  
Subject: Re: Proposed Spec D1010022 - Basis of Payment - Partial Payments 

Shirley,

Sorry about the delay on this.

Here is the latest revision of the subject spec that incorporates changes we think will address the comments received.

Please advise if you need anything further.



D1010022Shirley.doc

Kenneth Standley

Construction Systems Specialist  
State Construction Office  
850/414-4196, Suncom 994-4196  
Fax 850/412-8021  
e-mail: kenneth.standley@dot.state.fl.us  
Shirley Harvey



**Shirley Harvey**

11/13/2003 07:16 AM

To: Kenneth Standley/CO/FDOT@FDOT  
cc:  
Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payments

Kenneth,

On October 13, 2003, comments received from Industry Review were sent to you for your review. However, we have not had any response from you and I was wondering if you wanted to continue with the processing of this spec. Our time is running out for it to be implemented for the July 2004 letting.

Please advise!!!

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us

**BASIS OF PAYMENT – PARTIAL PAYMENTS.  
(REV 8-20-03)**

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**Kenneth Standley**

11/13/2003 09:23 AM

To: Shirley Harvey/CO/FDOT@FDOT  
cc:  
Subject: Re: Proposed Spec D1010022 - Basis of Payment - Partial Payments 

Shirley,

I have to resolve a couple of things on the comments but I should be getting back to you in a day or 2.

Kenneth Standley

Construction Systems Specialist  
State Construction Office  
850/414-4196, Suncom 994-4196  
Fax 850/412-8021  
e-mail: kenneth.standley@dot.state.fl.us  
Shirley Harvey



**Shirley Harvey**

11/13/2003 07:16 AM

To: Kenneth Standley/CO/FDOT@FDOT  
cc:  
Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payments

Kenneth,

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Please advise!!!

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us



Shirley Harvey

10/13/2003 12:57 PM

To: Kenneth Standley/CO/FDOT@FDOT

cc: *bcc: John Owens*

Subject: Comments on Proposed Spec D1010022 - Basis of Payment - Partial Payments



D1010022.doc

Please review the comments attached and submit any changes that you deem appropriate. Please submit your response after each comment.

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us





# Florida Department of Transportation

JEB BUSH  
GOVERNOR


605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

## **MEMORANDUM**

**DATE:** October 13, 2003

**TO:** Kenneth Standley, State Construction Office

**FROM:** Clinton J. Shaw, State Specifications Office 

**SUBJECT:** **Proposed Modifications To Specification: D101022 – Basis of Payment – Partial Payments**

Comments received, regarding the subject modification to the Standard Specifications, are attached. Please review these comments and advise of any further modifications by October 27, 2003. Also, please submit an electronic summary, of your decisions concerning these comment(s) in memorandum format. This summary will be posted on the State Specifications Office Web Page and included in the Specifications folder for future reference, should someone question your response. Your assistance will be appreciated.

Please Email submittals to SP965CS or [clinton.shaw@dot.state.fl.us](mailto:clinton.shaw@dot.state.fl.us).

CS/sh

Attachment

**BASIS OF PAYMENT – PARTIAL PAYMENTS.  
(REV 8-20-03)**

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Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

**Duane F Brautigam**

09/23/2003 03:54 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 09/23/2003 03:54 PM -----

**<webmaster@dot.state.fl.us>**

09/23/2003 03:23 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*  
\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Bill Richards  
UserEmail: william.richards@dot.st.fl.us  
UserTel: (386) 943-5408  
UserFAX: (386) 736-5302  
ContactRequested:  
Remote Name: 156.75.65.51  
Remote User:

Comments:

The 4th paragraph "Partial payments for..." does not clearly indicate that the payment for mobilization that the contractor will be receiving, in two months or four months, will not exceed 10% of the contract amount. I had to ask the DCE, that participated at a meeting on this issue, what the was the intent of the meaning. A thought might be "The total of partial payments for mobilization will not exceed 10% of the contract amount." (Just a thought)

**Duane F Brautigam**

10/07/2003 07:25 AM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/07/2003 07:24 AM -----

**<webmaster@dot.state.fl.us>**

10/07/2003 06:41 AM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*  
\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Jason P. Spilak  
UserEmail: jason.spilak@dot.state.fl.us  
UserTel: 813 975-6799  
UserFAX: 813 975-6150  
ContactRequested:  
Remote Name: 156.75.105.77  
Remote User:

Comments:

For all Contracts:

Partial Payments will be made as follows:

- a.) The first payment of 50 percent of the lump sum for mobilization will be made the first month.
- b.) The second payment of 25 percent of the lump sum for mobilization will be made on the month that 10 percent of the work is complete, excluding mobilization.

c.) Upon substantial completion of all the work, the final 25  
percent  
of the lump sum price for mobilization will be paid.

**Duane F Brautigam**

10/09/2003 08:09 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/09/2003 08:09 PM -----

**<webmaster@dot.state.fl.us>**

10/09/2003 02:12 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*  
\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Louis McKibben, Office of Inspector General  
UserEmail: louis.mckibben@dot.state.fl.us  
UserTel: 850-410-5843  
UserFAX:  
ContactRequested:  
Remote Name: 156.75.196.58  
Remote User:

Comments:

Consider adding the following changes:

When more than one project or job (separate job number) is included in the contract, the above percentages shall apply separately to each job that has a separate pay item for mobilization (delete "." and add "with payments to begin only after work commences in each separate project or job covered by that mobilization.")

Without this added clarification, it might be assumed that all

D1010022  
All Jobs

mobilization costs are billable after the commencement of work on  
any  
part of the contract.

**Duane F Brautigam**

10/09/2003 07:11 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/09/2003 07:10 PM -----

**<webmaster@dot.state.fl.us>**

10/07/2003 02:54 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*  
\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Ta  
UserEmail:  
UserTel:  
UserFAX:  
ContactRequested:  
Remote Name: 156.75.110.41  
Remote User:

Comments:

My concern would be that there could be a project where time has started,  
and very little work has been done. Previously, the payment for Mobilization was based on the percent of the original contract earned,  
which meant that work had to be preformed before the payment was made.  
If I understand this correctly, as long as time was being charged, the mobilization would be paid. On most jobs this would never be a problem,  
but if a contractor should default they could receive the payment for



mobilization, which can be substantial, and have done no or very  
little  
work, which would seem to indicate they had done no or very  
little  
mobilization.

**Duane F Brautigam**

09/16/2003 10:33 AM

To: Clinton Shaw/CO/FDOT  
cc:  
Subject: Comments for Partial Payment for Mobilization

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

**Tami Toms**

09/15/2003 01:16 PM

To: Duane F Brautigam/CO/FDOT@FDOT

cc:

bcc:

Subject: Comments for Partial Payment for Mobilization

Duane,

My only comment, or concern would be that if a project had begun, yet very little had been done, it looks like we would still be paying the scheduled partial payments, as long as they did not exceed 10% of the original contract amount. It seems possible to overpay this way. By either the first 2 or first 4 months all the mobilization would be paid, and there may have been little work actually done.

Thanks,

Tami Toms

Clearwater Construction

(727)725-7950

**Duane F Brautigam**

09/23/2003 03:54 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 09/23/2003 03:54 PM -----

**<webmaster@dot.state.fl.us>**

09/23/2003 03:23 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Bill Richards  
UserEmail: william.richards@dot.st.fl.us  
UserTel: (386) 943-5408  
UserFAX: (386) 736-5302  
ContactRequested:  
Remote Name: 156.75.65.51  
Remote User:

Comments:

The 4th paragraph "Partial payments for..." does not clearly indicate that the payment for mobilization that the contractor will be receiving, in two months or four months, will not exceed 10% of the contract amount. I had to ask the DCE, that participated at a meeting on this issue, what the was the intent of the meaning. A thought might be "The total of partial payments for mobilization will not exceed 10% of the contract amount." (Just a thought)

**Duane F Brautigam**

10/07/2003 07:25 AM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/07/2003 07:24 AM -----

**<webmaster@dot.state.fl.us>**

10/07/2003 06:41 AM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Jason P. Spilak  
UserEmail: jason.spilak@dot.state.fl.us  
UserTel: 813 975-6799  
UserFAX: 813 975-6150  
ContactRequested:  
Remote Name: 156.75.105.77  
Remote User:

Comments:

For all Contracts:

Partial Payments will be made as follows:

- a.) The first payment of 50 percent of the lump sum for mobilization will be made the first month.
- b.) The second payment of 25 percent of the lump sum for mobilization will be made on the month that 10 percent of the work is complete, excluding mobilization.
- c.) Upon substantial completion of all the work, the final 25 percent of the lump sum price for mobilization will be paid.

**Duane F Brautigam**

10/09/2003 08:09 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/09/2003 08:09 PM -----

**<webmaster@dot.state.fl.us>**

10/09/2003 02:12 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

\*\*\*\*\*

File: D1010022 - Basis of Payment - Partial Payments  
Username: Louis McKibben, Office of Inspector General  
UserEmail: louis.mckibben@dot.state.fl.us  
UserTel: 850-410-5843  
UserFAX:  
ContactRequested:  
Remote Name: 156.75.196.58  
Remote User:

Comments:

Consider adding the following changes:

When more than one project or job (separate job number) is included in the contract, the above percentages shall apply separately to each job that has a separate pay item for mobilization (delete "." and add "with payments to begin only after work commences in each separate project or job covered by that mobilization.")

Without this added clarification, it might be assumed that all mobilization costs are billable after the commencement of work on any part of the contract.

**Duane F Brautigam**

10/09/2003 07:11 PM

To: Clinton Shaw/CO/FDOT@FDOT  
cc:  
Subject: Data posted to form 1 of http:  
//www11.myflorida.com/specificationsoffice/IndustryReview.htm

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

----- Forwarded by Duane F Brautigam/CO/FDOT on 10/09/2003 07:10 PM -----

**<webmaster@dot.state.fl.us>**

10/07/2003 02:54 PM

To: <duane.brautigam@dot.state.fl.us>  
cc:  
Subject: Data posted to form 1 of http:  
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\*\*\*\*\*  
File: D1010022 - Basis of Payment - Partial Payments  
Username: Ta  
UserEmail:  
UserTel:  
UserFAX:  
ContactRequested:  
Remote Name: 156.75.110.41  
Remote User:

Comments:

My concern would be that there could be a project where time has started, and very little work has been done. Previously, the payment for Mobilization was based on the percent of the original contract earned, which meant that work had to be preformed before the payment was made. If I understand this correctly, as long as time was being charged, the mobilization would be paid. On most jobs this would never be a problem, but if a contractor should default they could receive the payment for mobilization, which can be substantial, and have done no or very little work, which would seem to indicate they had done no or very little mobilization.

**Duane F Brautigam**

09/16/2003 10:33 AM

To: Clinton Shaw/CO/FDOT  
cc:  
Subject: Comments for Partial Payment for Mobilization

Duane F. Brautigam, P.E.  
State Specifications Engineer  
Florida Department of Transportation  
(850) 414-4130; SC 994-4130  
duane.brautigam@dot.state.fl.us

**Tami Toms**

09/15/2003 01:16 PM

To: Duane F Brautigam/CO/FDOT@FDOT

cc:

bcc:

Subject: Comments for Partial Payment for Mobilization

Duane,

My only comment, or concern would be that if a project had begun, yet very little had been done, it looks like we would still be paying the scheduled partial payments, as long as they did not exceed 10% of the original contract amount. It seems possible to overpay this way. By either the first 2 or first 4 months all the mobilization would be paid, and there may have been little work actually done.

Thanks,

Tami Toms

Clearwater Construction

(727)725-7950



POSTED 9/11/03  
JAC

## Florida Department of Transportation

JEB BUSH  
GOVERNOR


605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

### MEMORANDUM

**DATE:** September 11, 2003

**TO:** Specification Review Distribution List

**FROM:** Duane F. Brautigam, P.E., State Specifications Engineer 

**SUBJECT:** **Proposed Specifications Change: D1010022 – Basis of Payment – Partial Payments**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change to Basis of Payment – Partial Payments.

This change was proposed by Kenneth Standley, of the State Construction Office to reestablish criteria for partial payments, when a separate pay item for mobilization is included in the proposal.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or to my attention via e-mail at SP965DB or duane.brautigam@dot.state.fl.us. Comments received after October 9, 2003 may not be considered. Your input is encouraged.

DFB/sh

Attachment

COMMENTS:

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Submitted by:

Phone #:



**BASIS OF PAYMENT – PARTIAL PAYMENTS.  
(REV 8-20-03)**

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization *and work has commenced*, partial payments will be made therefore in accordance with the following:

*For contracts of 120 contract days duration or less, payment will be made at 50% of the bid price per month for the first two months. For contracts in excess of 120 contract days duration, payment will be made at 25% of the bid price per month for the first four months.*

*When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job that has a separate pay item for Mobilization.*

*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.*

*The standard retainageRetainage, as specified in 9-65, will be applied to these allowances all partial payments.*

Percent of Original Contract Amount Earned	Allowable Percent of the Lump Sum Price for the Item*
5	25
10	50
25	75
50	100

\*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

~~Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.~~

~~When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job whichjob that has a separate pay item for Mobilization.~~

As an exception to partial payments ~~being made based on Percent of Original Contract Amount Earned as noted above~~, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

**BASIS OF PAYMENT – PARTIAL PAYMENTS.**  
**(REV 8-20-03)**

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization and work has commenced, partial payments will be made therefore in accordance with the following:

For contracts of 120 contract days duration or less, payment will be made at 50% of the bid price per month for the first two months. For contracts in excess of 120 contract days duration, payment will be made at 25% of the bid price per month for the first four months.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job that has a separate pay item for Mobilization.

Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

Retainage, as specified in 9-5, will be applied to all partial payments.

As an exception to partial payments the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

# **BASIS OF PAYMENT – PARTIAL PAYMENTS.** (REV 8-20-03)

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization, and work has commenced, partial payments will be made therefore in accordance with the following:

For contracts of 120 contract days duration or less, 50% of the bid price per month for the first two months.

For contracts in excess of 120 contract days duration, 25% of the bid price per month for the first four months.

Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

Percent of Original Contract Amount Earned	Allowable Percent of the Lump Sum Price for the Item*
5	25
10	50
25	75
50	100

\*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.

The standard retainage Retainage, as specified in 9-65, will be applied to these partial payments allowances. Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job which job that has a separate pay item for Mobilization.

As an exception to partial payments being made based on Percent of Original Contract Amount Earned as noted above, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.

Doesn't this become moot when we are paid?

OK

payment will be made at  
is not the partial payments, it's just the partial payments that is limited to 10% or

Combine  
move  
Cost




**David Sadler**

08/27/2003 02:19 PM

To: Shirley Harvey/CO/FDOT@FDOT

cc:

Subject: Re: Proposed Spec D1010022 - Basis of Payment - Partial Payment 

Looks good to me.

Please let me know if you have any questions.

David A. Sadler, P.E.

Construction Engineer

(850)414-5203, SC 994-5203

FAX (850)412-8021, SC 994-8021

userid: cn982da email: david.sadler@dot.state.fl.us

Shirley Harvey



**Shirley Harvey**

08/27/2003 01:45 PM

To: bburleson@ftba.com, David Sadler/CO/FDOT@FDOT, Brian A

Blanchard/CO/FDOT@FDOT, William N Nickas/CO/FDOT@FDOT,

Bruce Dietrich/CO/FDOT@FDOT, Phillip G Davis/CO/FDOT@FDOT,

Clay McGonagill/CO/FDOT@FDOT, acarlisle@ftba.com

cc: Kenneth Standley/CO/FDOT@FDOT

Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payment



D1010022.doc

Please review/comment on the above referenced document.

If you have any questions please call.

Thanks,

shirley harvey

SC 994-4120

(850)414-4120

shirley.harvey@dot.state.fl.us



**Shirley Harvey**

08/27/2003 01:45 PM

To: bburleson@ftba.com, David Sadler/CO/FDOT, Brian A  
Blanchard/CO/FDOT, William N Nickas/CO/FDOT, Bruce  
Dietrich/CO/FDOT, Phillip G Davis/CO/FDOT, Clay  
McGonagill/CO/FDOT, acarlisle@ftba.com  
cc: Kenneth Standley/CO/FDOT@FDOT  
Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payment



D1010022.doc

Please review/comment on the above referenced document.

If you have any questions please call.

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSE ABREU  
SECRETARY

### **MEMORANDUM**

**DATE:** August 27, 2003

**TO:** Bob Burleson, FTBA, David Sadler, State Construction Office, Brian Blanchard, State Roadway Design Office, William N. Nickas, State Structures Design Office, Bruce Dietrich, State Pavement Management Office, Greg Davis, State Estimates Office, Clay McGonagill, General Counsel's Office

**FROM:** Clinton J. Shaw, State Specifications Office

**SUBJECT: Proposed Specification: D1010022 – Basis of Payment – Partial Payments**

Attached for your review and comments is a copy of the subject Special Provision for Basis of Payment – Partial Payments.

This change was proposed by Kenneth Standley to reestablish criteria for partial payments, when a separate pay item for mobilization is included in the proposal.

Please review and offer your comments.

CS/sh  
Attachment

**BASIS OF PAYMENT – PARTIAL PAYMENTS.  
(REV 8-20-03)**

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization, *and work has commenced*, partial payments will be made therefore in accordance with the following:

*For contracts of 120 contract days duration or less: 50% of the bid price per month for the first two months.*

*For contracts in excess of 120 contract days duration: 25% of the bid price per month for the first four months.*

*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.*

Percent of Original Contract Amount Earned	Allowable Percent of the Lump Sum Price for the Item*
5	25
10	50
25	75
50	100

*\*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.*

~~The standard retainage~~ Retainage, as specified in 9-65, will be applied to these allowances. Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each job ~~which~~ job that has a separate pay item for Mobilization.

As an exception to partial payments being made ~~based on Percent of Original Contract Amount Earned as noted above~~, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.




**Kenneth Standley**

08/27/2003 10:22 AM

To: Shirley Harvey/CO/FDOT@FDOT

cc:

Subject: Re: Proposed Spec D1010022 - Basis of Payment - Partial Payments 

The subject specification change is approved as submitted.

The usage will be for all projects.

Please proceed with the adoption process.

Kenneth Standley

Construction Systems Specialist  
State Construction Office  
850/414-4196, Suncom 994-4196  
Fax 850/412-8021

e-mail: kenneth.standley@dot.state.fl.us  
Shirley Harvey



**Shirley Harvey**

08/21/2003 07:16 AM

To: Kenneth Standley/CO/FDOT@FDOT

cc:

Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payments



D1010022.doc

Please review the attached document and submit any corrections as needed. Also, please give me a usage note to go on the spec.

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us





**Shirley Harvey**

08/21/2003 07:16 AM

To: Kenneth Standley/CO/FDOT

cc:

Subject: Proposed Spec D1010022 - Basis of Payment - Partial Payments



D1010022.doc

Please review the attached document and submit any corrections as needed. Also, please give me a usage note to go on the spec.

Thanks,  
shirley harvey  
SC 994-4120  
(850)414-4120  
shirley.harvey@dot.state.fl.us



# Florida Department of Transportation

JEB BUSH  
GOVERNOR


605 Suwannee Street  
Tallahassee, FL 32399-0450

JOSÉ ABREU  
SECRETARY

## MEMORANDUM

**DATE:** August 21, 2003

**TO:** Kenneth Standley, State Construction Office

**FROM:** Clinton J. Shaw, State Specifications Office 

**SUBJECT:** **Proposed Specification: D1010022 – Basis of Payment – Partial Payments**

Your proposed specification has been formatted and entered for processing. As the originator for this specification, please review the formatted draft and make any necessary changes.

Additionally, please verify the condition under which this specification is to be used (see usage note under specification number).

If you have any questions, please contact Clinton Shaw at (850) 414-4129 or Suncom 994-4129. Your response within two weeks will be appreciated, as further processing is dependent upon your response. We will continue to update you as we process this request for implementation.

CS/sh  
Attachment

**BASIS OF PAYMENT – PARTIAL PAYMENTS.  
(REV 8-20-03)**

SUBARTICLE 101-2.2 (Page 100) is deleted and the following substituted:

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization, and work has commenced, partial payments will be made therefore in accordance with the following:

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## **ORIGINATION FORM**

**THE INFORMATION BELOW IS TO BE PROVIDED BY THE ORIGINATOR**  
(The person who receives or originates the issue and needs to forward the issue for action.)

☒ Modify Specification \_\_\_\_\_ 101 \_\_\_\_\_  
Section/File number

☐ New Section \_\_\_\_\_  
Section number

**Subject:** Mobilization – Partial Payments

**Origination date:** July 28, 2003

**Originator:** Kenneth Standley

**Office/Phone:** State Construction Office/(850) 414-4196, SC 994-4196

**Email address/** kenneth.standley@dot.state.fl.us

**Userid:**

**Problem statement:** This specification is revised to account for short duration (as defined in the specification) projects and how the mobilization payments should be disbursed.

**Information source:** Kenneth Standley and Ananth Prasad

**Background data:** Through joint meetings with FTBA and FDOT, it was agreed that the tabular format for making distribution of partial payments for mobilization would be revised to account for short duration projects.

**Desired implementation date:** Beginning with the July 2004 letting.

## **SPECIFICATION PROCESSING AND STATUS FORM**

**Begin date:** August 20, 2003

**File Number:** D1010022

**Projected  
completion date:** November 19, 2003.

**Implementation  
team member:** Shirley Harvey.

**Schedule  
of activities:** Internal, Industry and FHWA reviews.

**Resource needs:** None identified at this time.

**Implementation  
schedule:** Beginning with the July 2004 letting.

**Proposed solution:** Reestablish criteria for partial payments, when a separate pay item for mobilization is included in the proposal.

**Recommended  
Usage Note:**

**Progress report:** What is the current status of the issue? Detail problems encountered, that hinders the process.

**101-2.2 Partial Payments:** When the proposal includes a separate pay item for Mobilization, *and work has commenced*, partial payments will be made therefore in accordance with the following:

*For contracts of 120 contract days duration or less: 50% of the bid price per month for the first two months.*

*For contracts in excess of 120 contract days duration: 25% of the bid price per month for the first four months.*

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50	100

*\*Partial payments for any project will be limited to 10% of the original Contract amount for that project. Any remaining amount will be paid upon completion of all work on the project.*

*The standard retainage* Retainage, as specified in 9-65, will be applied to these allowances. Partial payments made on this item will in no way act to preclude or limit any of the provisions for partial payments otherwise provided for by the Contract.

When more than one project or job (separate job number) is included in the Contract, the above percentages shall apply separately to each ~~job which~~ job that has a separate pay item for Mobilization.

As an exception to partial payments being made ~~based on Percent of Original Contract Amount Earned~~ as noted above, the Department will pay the Contractor the invoice price of the Contract Bond when the Engineer has been furnished with a certified copy of the invoice from the Bonding Company. No other work will be required to receive payment for the Contract Bond included in the bid price for Mobilization.